

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:)	Motion and Notice
)	Chapter 13
TIMOTHY BRIAN CRUNKLETON)	
JESSICA MOORE CRUNKLETON)	
)	No: B-22-50764 C-13W
Debtor(s))	

Kathryn L. Bringle, Trustee, respectfully moves the Court for an order as follows:

Auto Money Title Loans ("Auto Money") filed a proof of claim and provided evidence of a lien on a 2014 Hyundai Tucson. The vehicle was wrecked and deemed a total loss. The Trustee is of the belief that the secured amount owed to Auto Money was paid in full through insurance. The insurance company forwarded \$1,291.88 excess insurance money to the Trustee representing the balance due above the Creditor's secured claim. These funds will be held by the Trustee until the Chapter 13 case is either completed or dismissed. If the Chapter 13 Plan is completed, the Trustee is of the belief these excess insurance funds will be forwarded to the Debtors. However, if the Chapter 13 case is dismissed, these insurance funds should be sent to the Creditor so the Creditor may apply the funds to any outstanding balance remaining due. If no outstanding balance remains due, Auto Money can return the excess insurance funds to the Debtors.

The Trustee recommends as follows:

1. The Trustee hold the excess insurance funds of \$1,291.88 until the Chapter 13 Plan is either completed or dismissed.
2. If the Debtors complete the Chapter 13 Plan, the excess insurance money should be given to the Debtors.
3. If the Chapter 13 case is dismissed, the Trustee should forward the \$1,291.88 excess insurance money to Auto Money so the Creditor can apply the funds to any remaining balance owed to them, with any excess funds to thereafter be given to the Debtors.

Date: August 14, 2023
KLB: GF/plc

s/Kathryn L. Bringle
Standing Trustee

NOTICE

TAKE NOTICE THAT any interested party who has an objection to the Motion MUST FILE A WRITTEN OBJECTION on or before September 14, 2023 with the parties named on the attached Parties To Be Served list and with the U.S. Bankruptcy Court at the following address:

***601 West 4th Street, Suite 100
Winston-Salem, NC 27101***

If no objections are filed within the time period, the Court will consider this motion without a hearing. If objections are timely filed, a hearing on the motion will be held on September 27, 2023 at 9:30 a.m., in the following location:

***601 West 4th Street, Suite 100
Winston-Salem, NC 27101***

Date: August 14, 2023

OFFICE OF THE CLERK
U.S. Bankruptcy Court

PARTIES TO BE SERVED

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TIMOTHY BRIAN CRUNKLETON
JESSICA MOORE CRUNKLETON
408 N ELM STREET
APARTMENT B
CHERRYVILLE, NC 28021

JOHN T ORCUTT
6616-203 SIX FORKS ROAD
RALEIGH, NC 27615

LAW OFFICES OF JOHN T ORCUTT
ATTN: KOURY L. HICKS
1738-D HILLANDALE RD.
DURHAM NC 27705

AUTO MONEY TITLE LOANS
ATTN OFFICER
606 HIGHWAY 15-401 EAST
BENNETTSVILLE, SC 29512

KATHRYN L. BRINGLE
CHAPTER 13 TRUSTEE
PO BOX 2115
WINSTON-SALEM, NC 27102-2115